

REMARKS

Claims 1-4, 6 and 11 are pending in this application. By this Amendment, claims 1 and 6 are amended, claim 11 is added, and claims 5 and 7-10 are canceled without prejudice to or disclaimer of the subject matter contained therein. Support for the amendment to claim 1 can be found at least at page 3, lines 17-22 of the specification. Support for the amendment to claim 6 can be found at least at pg. 3, lines 17-22 and pg. 8, lines 7-15 of the specification. Support for the subject matter of claim 11 can be found at least at page 3, lines 17-22, page 4, lines 1-18 and pg. 8, lines 7-15 of the specification. Thus, no new matter is added.

I. 35 U.S.C. §103 Rejection

The Office Action rejects claims 1, 2 and 5-10 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,479,193 to Maeda et al. (hereinafter "Maeda") in view of U.S. Patent Application Publication No. 2003/0044576 to Dhar et al. (hereinafter "Dhar"), and rejects claims 1-10 under 35 U.S.C. §103(a) as being unpatentable over Maeda in view of Dhar and further in view of U.S. Patent No. 5,898,511 to Mizutani et al. (hereinafter "Mizutani"). These rejections are respectfully traversed.

The Office Action fails to clearly articulate the grounds for rejecting the claims. Therefore, the rejections are improper. Accordingly, Applicants respectfully request withdrawal of the rejections.

Further, the combination of Maeda, Dhar and Mizutani fails to disclose or render obvious "a remaining dynamic range, a refractive index, photosensitivity, an absorption coefficient, and a shrinkage factor per unit exposure of the hybrid material layer and those of the photopolymer layer are made approximately the same" as recited by independent claim 1. The combination of Maeda, Dhar, and Mizutani also fails to disclose

photosensitivity thereof is retained, the incomplete curing and the retained photosensitivity allowing the hybrid material layer and the photopolymer layer to have a remaining dynamic range, a refractive index, photosensitivity, an absorption coefficient, and a shrinkage factor per unit exposure made approximately the same,

as recited in independent claim 6 and

the photopolymer has a thermosetting property; and

incomplete curing is performed in the step of allowing the photopolymer to cure and the retained photosensitivity allowing the hybrid material layer and the photopolymer layer to have a remaining dynamic range, a refractive index, photosensitivity, an absorption coefficient, and a shrinkage factor per unit exposure made approximately the same,

as recited in independent claim 11.

In particular, Maeda discloses at col. 18, line 63 - col. 19, line 6, that before heat treatment, the difference in refractive index between the photopolymer layer and the hybrid material layer is small (about 0.05), whereas the difference after heat treatment is "very large" (about 1.0). Therefore, the applied combinations fail to disclose or render obvious the above-quoted features of the independent claims.

Therefore, independent claims 1, 6 and 11 are patentable over the applied combinations. Claims 2-4 are patentable at least for their various dependencies from independent claim 1 as well as for the additional features they recite.

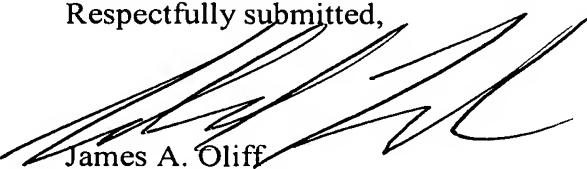
Accordingly, Applicants respectfully request withdrawal of the rejections.

II. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Date: December 5, 2008

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